



DELAINE EASTIN

State Superintendent of Public Instruction

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April 5, 2001

Dear County and District Superintendents:

Attention: School Safety and Violence Prevention Program Coordinators:

The California Student Safety and Violence Prevention Act of 2000 (Assembly Bill 537)

Chapter 2, Article 3, Sections 200 and 220 and
Chapter 4.5, Article 1, Sections 366251 and 66270
of the California *Education Code*

In January 2000, Assembly Bill (AB) 537, the California Student Safety and Violence Prevention Act of 2000 became law in California. AB 537 amended the Equity in Education Act in the California *Education Code* to prohibit harassment and discrimination on the basis of actual or perceived sexual orientation and to include a more expansive definition of gender. This was done by adding the bases used in the prohibition of hate crimes to those prohibited bases of discrimination in the *Education Code*.

Education Code section 220 now reads:

No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from state financial assistance or enrolls pupils who receive state student financial aid.

The intent of the California Student Safety and Violence Protection Act is to reduce or eliminate incidents of harassment, discrimination, and hate-motivated behavior specifically directed at students who may be or are perceived to be gay, lesbian, bisexual, or transgender individuals. Compliance with this act in the areas of school policies, resource development, training, and student support services is critical to provide all our students and staff with safe and secure learning environments.

I appointed an AB 537 Advisory Task Force that represents educators and experts from throughout California. The Task Force developed recommendations to provide guidance and strategies for the California Department of Education and our schools to address the intent of

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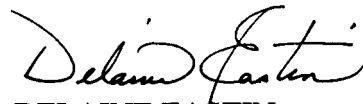
AB 537. The publication of the AB 537 Task Force report and recommendations will be released to all schools for the 2001-2002 school year.

Additionally, the State Board of Education will soon issue a revised *California Code of Regulations, Title 5, Education, Nondiscrimination and Educational Equity*.

In the interim, please review your local policies, complaint processes, training, available resources, and student services to assure that they are conducted or offered in a manner that is free of inadvertent or intentional bias. Please inform all students, staff members, and parents in your community about the new law and its protections. If you have further questions about this law, its intent, and your responsibilities pertaining to this law, please feel free to contact Safe Schools and Violence Prevention Office at (916) 323-2183.

In your capacity as Superintendent, you have been entrusted with one of the most important responsibilities in government: ensuring that our young people receive the opportunity to develop into healthy and productive adults. Your strong leadership in this matter is critically important if we are to ensure all our children the right to a safe and respectful learning environment while they are in our care.

Sincerely,

A handwritten signature in black ink, appearing to read "Delaine Eastin", written in a cursive style.

DELAINE EASTIN
State Superintendent of Public Instruction

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